

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

18cr150 DWF/TNL

UNITED STATES OF AMERICA,

INDICTMENT

Plaintiff,

18 U.S.C. § 2

v.

18 U.S.C. § 247(a)(1)

18 U.S.C. § 247(a)(2)

18 U.S.C. § 844(h)

1. MICHAEL HARI,

18 U.S.C. § 844(m)

2. MICHAEL McWHORTER, and

18 U.S.C. § 924(c)

3. JOE MORRIS,

26 U.S.C. § 5845(a)

26 U.S.C. § 5861(d)

Defendants.

THE UNITED STATES GRAND JURY CHARGES THAT:

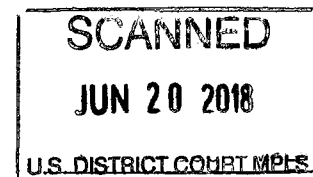
COUNT 1

(Intentionally Defacing, Damaging, and Destroying any Religious Real Property Because of the Religious Character of that Property)

1. On or about August 5, 2017, in the State and District of Minnesota, the defendants,

**MICHAEL HARI,
MICHAEL McWHORTER, and
JOE MORRIS,**

each aiding and abetting the others, and others known and unknown to the grand jury, and each being aided and abetted by the others, and by others known and unknown to the grand jury, did intentionally deface, damage, and destroy religious real property, specifically, the Dar al Farooq Islamic Center in the City of Bloomington, Minnesota, because of the religious character of the Dar al Farooq Islamic Center. The offense was in and affected interstate and foreign commerce; the offense was by means of fire and explosives; and the offense included the use, attempted use, and threatened use of a dangerous weapon, explosives, and fire.



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All in violation of Title 18, United States Code, Sections 247(a)(1) and 2.

COUNT 2

(Intentionally Obstructing, and Attempting to Obstruct, by Force and the Threat of Force,
the Free Exercise of Religious Beliefs)

2. On or about August 5, 2017, in the State and District of Minnesota, the defendants,

**MICHAEL HARI,
MICHAEL McWHORTER, and
JOE MORRIS,**

each aiding and abetting the others, and others known and unknown to the grand jury, and each being aided and abetted by the others, and by others known and unknown to the grand jury, did intentionally obstruct and attempt to obstruct, by force and the threat of force, the free exercise of religious beliefs by members and other attendees of the Dar al Farooq Islamic Center, located in the City of Bloomington, Minnesota. The offense was in and affected interstate and foreign commerce; the offense was by means of fire and explosives; and the offense included the use, attempted use, and threatened use of a dangerous weapon, explosives, and fire.

All in violation of Title 18, United States Code, Sections 247(a)(2) and 2.

COUNT 3

(Conspiracy to Commit Federal Felonies by Means of Fire and Explosives)

3. On or about August 5, 2017, in the State and District of Minnesota, the defendants,

**MICHAEL HARI,
MICHAEL McWHORTER, and
JOE MORRIS,**

did knowingly and unlawfully combine, conspire, and agree with each other, and with other persons known and unknown to the grand jury, to knowingly use fire and explosives to

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commit felonies which may be prosecuted in a court of the United States; namely, the felonies of, in interstate and foreign commerce and through the use of a dangerous weapon, explosives, and fire, (1) intentionally defacing, damaging, and destroying religious real property because of the religious character of that property, in violation of Title 18, United States Code, Section 247(a)(1), as alleged in Count 1 of this Indictment; and (2) intentionally using force and the threat of force to obstruct, and attempt to obstruct, the free exercise of religious beliefs by others, in violation of Title 18, United States Code, Section 247 (a)(2), as alleged in Count 2 of this Indictment.

PURPOSE OF THE CONSPIRACY

4. It was the purpose of the conspiracy to deface, damage and destroy, by means of explosion and fire, the Dar al Farooq Islamic Center, for the purpose of making Muslims feel frightened and intimidated, and to thereby interfere, by force and the threat of force, with the free exercise of religious liberty by Muslims.

MANNER AND MEANS

5. It was part of the conspiracy that, on a date unknown to the grand jury, defendant MICHAEL HARI constructed a destructive device, specifically, a pipe bomb.

6. It was further a part of the conspiracy that, on or about July 27, 2017, defendant MICHAEL HARI rented a pickup truck from a vehicle rental business in Champaign-Urbana, Illinois.

7. It was further a part of the conspiracy that on or about August 4 and 5, 2017, defendants MICHAEL HARI, MICHAEL McWHORTER, and JOE MORRIS drove together in the rented pickup truck from Illinois to Bloomington, Minnesota.

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8. It was further a part of the conspiracy that on or about August 4 and 5, 2017, defendants MICHAEL HARI, MICHAEL McWHORTER, and JOE MORRIS stopped on their drive from Illinois to Minnesota and purchased diesel fuel and gasoline, which was mixed together in a plastic container.

9. It was further a part of the conspiracy that on or about August 5, 2017, defendant JOE MORRIS broke a window of the Dar al Farooq Islamic Center in Bloomington, Minnesota, and tossed through the broken window the plastic container filled with the diesel fuel and gasoline mixture.

10. It was further a part of the conspiracy that on or about August 5, 2017, defendant MICHAEL McWHORTER lit the fuse on the pipe bomb that defendant MICHAEL HARI had built, and threw that pipe bomb through the window of the Dar al Farooq Islamic Center that defendant JOE MORRIS had just broken.

11. It was further a part of the conspiracy that on or about August 5, 2017, the pipe bomb exploded; that when the pipe bomb exploded, it ignited the mixture of diesel fuel and gasoline in the plastic container; and that the exploding pipe bomb caused blast damage, and the burning mixture of diesel fuel and gasoline caused fire and smoke damage, to the Dar al Farooq Islamic Center.

12. It was further a part of the conspiracy that, on or about August 5, 2017, once defendants MICHAEL McWHORTER and JOE MORRIS returned to the rented pickup truck in which defendant MICHAEL HARI was waiting, that defendant MICHAEL HARI drove out of the Dar al Farooq Islamic Center's parking lot at a rapid rate, and that the three defendants then drove back to Illinois.

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13. It was further a part of the conspiracy that on or about August 6, 2017, the rented pickup truck was returned to the vehicle rental business in Champaign-Urbana, Illinois from which defendant MICHAEL HARI had rented it.

OVERT ACTS

14. In furtherance of the conspiracy, and to achieve its objectives, the defendants committed the following overt acts, among others:

15. On a date unknown to the grand jury, defendant MICHAEL HARI built a pipe bomb.

16. On or about July 27, 2017, defendant MICHAEL HARI rented a pickup truck from a vehicle rental business in Champaign-Urbana, Illinois.

17. On or about August 4-5, 2017, defendants MICHAEL HARI, MICHAEL McWHORTER, and JOE MORRIS drove in the rented pickup truck from Illinois to Bloomington, Minnesota.

18. On or about August 4-5, 2017, while traveling from Illinois to Minnesota, defendants MICHAEL HARI, MICHAEL McWHORTER, and JOE MORRIS purchased diesel fuel and gasoline, mixed it together in a plastic container.

19. On or about August 5, 2017, at the Dar al Farooq Islamic Center in Bloomington, Minnesota, defendant MICHAEL HARI parked the rented pickup truck in the Dar al Farooq Islamic Center's parking lot.

20. On or about August 5, 2017, defendant JOE MORRIS left the parked pickup truck, went to a window of the Dar al Farooq Islamic Center, and broke the window with a

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hammer and tossed through the broken window the plastic container filled with the diesel fuel and gasoline mixture.

21. On or about August 5, 2017, defendant MICHAEL McWHORTER lit the fuse on the pipe bomb that defendant MICHAEL HARI had built earlier.

22. On or about August 5, 2017, defendant MICHAEL McWHORTER threw the pipe bomb that defendant MICHAEL HARI had earlier built through the window of the dar al Farooq Islamic Center that defendant JOE MORRIS had just broken.

23. On or about August 5, 2017, defendants MICHAEL HARI, MICHAEL McWHORTER, and JOE MORRIS drove back to Illinois from Minnesota in the rented pickup truck.

24. On or about August 6, 2017, defendant MICHAEL HARI returned the rented pickup truck to the vehicle rental business in Champaign-Urbana, Illinois from which defendant MICHAEL HARI had rented the truck.

All in violation of Title 18, United States Code, Sections 844(h) and 844(m).

COUNT 4

(Carrying and Using a Destructive Device During and in Relation to Crimes of Violence)

25. On or about August 5, 2017, in the State and District of Minnesota, the defendants,

**MICHAEL HARI,
MICHAEL McWHORTER, and
JOE MORRIS,**

each aiding and abetting the others, and others known and unknown to the grand jury, and each being aided and abetted by the others, and by others known and unknown to the grand jury, did knowingly carry and use a firearm, that is, a destructive device (a pipe bomb),

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during and in relation to crimes of violence for which the defendants may be prosecuted in a court of the United States, specifically: the felonies of, in interstate and foreign commerce and through the use of a dangerous weapon, explosives, and fire, (1) intentionally defacing, damaging, and destroying religious real property because of the religious character of that property, in violation of Title 18, United States Code, Section 247(a)(1), as alleged in Count 1 of this Indictment; and (2) intentionally using force and the threat of force to obstruct, and attempt to obstruct, the free exercise of religious beliefs by others, in violation of Title 18 United States Code, Section 247 (a)(2), as alleged in Count 2 of this Indictment.

All in violation of Title 18, United States Code, Sections 924(c)(1)(B)(2) and 2.

COUNT 5

(Possession of an unregistered destructive device)

26. On or about August 5, 2017, in the State and District of Minnesota, the defendant,

MICHAEL HARI,

aiding and abetting, and being aided and abetted by, others known and unknown to the grand jury, did knowingly possess a firearm, specifically a destructive device (a pipe bomb), which was not registered to Michael Hari in the National Firearms Registration and Transfer Record.

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All in violation of Title 26, United States Code, Sections 5845(a) and 5861(d) and Title 18, United States Code, Section 2.

A TRUE BILL

UNITED STATES ATTORNEY

FOREPERSON